

	<p>IDEM Permit Guide:</p> <p>Changing Ownership / Transferring Permits</p> <p>http://www.in.gov/idem/guides/permit/other/transfers.html</p>
---	---

Overview:

How Changes in Source or Facility Operator or Ownership Can Affect Permit Coverage

Whenever a permitted source (of air pollutants) or a facility (that discharges wastewater or that processes or disposes of solid or hazardous waste) undergoes a change of operators or ownership, it can have an impact on permitting status. Some permits must be transferred over by IDEM to the new ownership. Other permits may become void, requiring the new owner to reapply for permit coverage. Such permit transfers are required to ensure that the new owner becomes the legally responsible party for the permitted source or facility.

Air Permits

Both air construction permits and air operating permits are transferable. To transfer an air permit to a new owner, a letter must be sent to the IDEM Office of Air Quality that lists the name of the previous owner (permit holder) and the new owner (also referred to as a transferee). In addition, the letter should state the date the transfer will take place and list the name the company will operate under, if the name will be changed. There is no fee for this procedure.

- For a **Registered Source**, an ownership change is considered a Notice-Only-Change under 326 IAC (Indiana Administrative Code) 2-5.5-6(d)(3).
- For a source operating under a **Minor Source Operating Permit (MSOP)** or a **Source Specific Operating Agreement (SSOA)**, an ownership change is considered a Notice-Only-Change under 326 IAC 2-6.1-6(d)(3).
- For a source operating with a **Federally Enforceable State Operating Permit (FESOP)**, an ownership change is considered an Administrative Amendment under 326 IAC 2-8-10(a)(4).
- For a source operating with a **Title V Operating Permit (TVOP)**, it also is considered an Administrative Amendment under 326 IAC 2-7-11(a)(4).
- Similarly, **Air Construction Permits** (permits allowing the construction of emission units or air pollution control devices) also are transferable. If there is a change of ownership after within one year of the issuance, by the IDEM Office of Air Quality, of an air construction permit, but before that approved construction has been completed, the new owner may request a permit transfer. If construction has not begun after one year, air construction permits become void.

Depending on the level of the construction permit, the transfer may be considered an

amendment, a notice-only-change, or an administrative amendment. There is no fee. The new owner becomes responsible for any construction to be completed. Once construction is complete, the new owner must submit an Affidavit of Construction to IDEM. In return IDEM will issue a validation letter allowing the new equipment to be operated.

Note: All the above citations can be found at [326 IAC, Article 2](http://www.in.gov/ide/guides/permit/air/326-IAC-2.pdf) [<http://www.in.gov/ide/guides/permit/air/326-IAC-2.pdf>].

Letters transferring ownership and/or permit responsibility should be sent to:

Attn: Gary Freeman
IDEM – Office of Air Quality
100 North Senate Avenue
P.O. Box 6015
Indianapolis, IN 46206-6015

You also may call 317/233-5334 with additional questions.

Wastewater Discharge Permits

An existing individual NPDES (National Pollutant Discharge Elimination System) permit may be transferred to a new owner. Under [327 IAC 5-2-6\(c\)](http://www.in.gov/legislative/iac/T03270/A00050.wpd) [<http://www.in.gov/legislative/iac/T03270/A00050.wpd>] (*scroll down to Rule 2, Section 6*), the current permittee (permit holder) must notify the IDEM Office of Water Quality (OWQ) at least 30 days in advance of the transfer.

The current and new owners also must provide to OWQ a written agreement that lists the specific date for transferring responsibility for compliance with the conditions of the permit from the current permittee, to the new owner (transferee) . In addition, the transferee must certify his or her intent to continue operations without making any changes to the facility or its processes that would significantly change the nature or quantities of pollutants discharged.

If, on the other hand, the transferee does intend to make changes that will alter the nature or quantities of pollutants to be discharged, then he or she must first submit an application seeking to modify the newly transferred permit to allow for such changes. The transferee will not be allowed to make the changes until the permit has been modified, or revoked and reissued, to address the changes to the nature and quantity of the discharge.

If only the name, but not the operator or ownership, of a company is to be changed, send a letter with the new company name. Also provide the name of a contact person.

All such name, operator, and ownership change requests should be sent to:

Attention: Steve Roush
Indiana Department of Environmental Management
Permit Section/Rm 1255 - Office of Water Quality
100 North Senate Avenue - P.O. Box 6015
Indianapolis, IN 46206-6015

New wastewater treatment plant owners also should ensure that all plant operators are [IDEM-certified](http://www.in.gov/ide/guides/permit/water/wwoperatorcert.html) [<http://www.in.gov/ide/guides/permit/water/wwoperatorcert.html>].

General NPDES Permit-by-Rule Wastewater Discharge Permits

IDEM-issued general NPDES (National Pollutant Discharge Elimination System) permits are not transferable. Therefore, if there is an ownership/operator change at a facility operating under a general NPDES permit-by-rule, the existing permit becomes invalid on the date of the transfer. To avoid being without permit coverage after the transfer, the new owner/operator should plan ahead by submitting an application, known as a NOI (Notice of Intent), for a new permit at least 30 days in advance of the transfer. NOI's should be sent to the mailing address provided immediately above.

NPDES general (permit-by-rule) permits issued by IDEM include:

- Stormwater run-off permits associated with construction activities ([Rule 5](http://www.in.gov/idem/guides/permit/water/stormwaterconstruction.html) [<http://www.in.gov/idem/guides/permit/water/stormwaterconstruction.html>])
- Stormwater run-off permits associated with industrial activity ([Rule 6](http://www.in.gov/idem/guides/permit/water/stormwaterindustrial.html) [<http://www.in.gov/idem/guides/permit/water/stormwaterindustrial.html>])
- Discharge permits for coal mines ([Rule 7](http://www.in.gov/idem/guides/permit/water/minesquarries.html) [<http://www.in.gov/idem/guides/permit/water/minesquarries.html>])
- Discharge permits for cooling water ([Rule 8](http://www.in.gov/idem/guides/permit/water/coolingwater.html) [<http://www.in.gov/idem/guides/permit/water/coolingwater.html>])
- Discharge permits associated with various petroleum related activities ([Rules 9, 10, and 11](http://www.in.gov/idem/guides/permit/water/petroleum.html) [<http://www.in.gov/idem/guides/permit/water/petroleum.html>])
- Discharges permits associated with sand and gravel or dimensional stone quarries ([Rule 12](http://www.in.gov/idem/guides/permit/water/minesquarries.html) [<http://www.in.gov/idem/guides/permit/water/minesquarries.html>])

Industrial Wastewater Pretreatment Permits

As with individual NPDES (National Pollutant Discharge Elimination System) permits, **IDEM-issued [Industrial Wastewater Pretreatment Permits \(IWPP\)](http://www.in.gov/idem/guides/permit/water/industrialmunicipal.html)** [<http://www.in.gov/idem/guides/permit/water/industrialmunicipal.html>] may be transferred to a new owner. On the other hand, facilities located in municipalities with [EPA-approved local pretreatment programs](http://www.in.gov/idem/guides/permit/water/industrialmunicipal.html) [<http://www.in.gov/idem/guides/permit/water/industrialmunicipal.html>] should contact the local POTW (publicly owned treatment works).

If a facility with an IDEM-issued IWPP will be undergoing an ownership change, the current permittee (permit holder) must notify the IDEM Office of Water Quality (OWQ) at least 30 days in advance of the transfer. The current and new owners also must provide to OWQ a written agreement that lists the specific date for transferring responsibility for compliance with the conditions of the permit from the current permittee, to the new owner (transferee). The transferee also must certify his or her intent to continue operations without making any changes to the facility or its processes that would significantly change the nature or quantities of pollutants discharged.

If, on the other hand, the transferee does intend to make changes that will alter the nature or quantities of pollutants to be discharged, then he or she must first submit an application seeking to modify the newly transferred permit to allow for such changes. The transferee will not be allowed to make the changes until the permit has been modified, or revoked and reissued, to address the changes to the nature and quantity of the discharge.

To obtain the IDEM Office of Water Quality [“Notification of Transfer of Industrial Wastewater Pretreatment \(IWP\) Permit”](#)

[<http://www.in.gov/idem/water/compbr/oaps/iwptransfrm.pdf>] form needed to transfer ownership of an IDEM-issued Industrial Wastewater Pretreatment Permit, contact:

Kevin Cohoon

Phone: 317/233-0570

E-mail: kcohoon@dem.state.in.us

Submit completed transfer of ownership forms to:

Indiana Department of Environmental Management

Attention: Kevin Cohoon

Permit Section/Rm 1255 - Office of Water Quality

100 North Senate Avenue - P.O. Box 6015

Indianapolis, IN 46206-6015

Wastewater Facility Construction Permits

Once the IDEM Office of Water Quality has issued a wastewater facility construction permit for the construction of sewer lines, a lift station, wastewater treatment facility, or other related equipment, the permittee (the recipient of the permit) must begin the approved construction within one year of the date the permit was issued or the permit is no longer valid. If, during that one year time frame, there is a change of ownership of the facility or property associated with that construction approval, the IDEM-issued Wastewater Facility Construction Permit *may* be transferred to the new owner. Any requests to transfer a wastewater construction permit should be sent to:

Attention: Don Worley

Indiana Department of Environmental Management

Permit Section/Rm 1255 - Office of Water Quality

100 North Senate Avenue - P.O. Box 6015

Indianapolis, IN 46206-6015

When a Public Water System Changes Ownership

A public water system is a collection of equipment that can include water lines, pumps, treatment facilities (including settling basins, filters, and chemical treatments), storage tanks, and wells that supply water for human consumption to at least fifteen (15) service connections, or regularly serve an average of twenty-five (25) people. There are three (3) types of water systems:

1) **Transient Noncommunity Systems** are systems that regularly serve an average of at least twenty-five (25) people daily at least sixty (60) days per year. These systems can include, but are not limited to, campgrounds, churches, restaurants, gasoline stations, highway rest areas and motels.

2) **Nontransient Noncommunity Systems** are systems that regularly serve an average of the same twenty-five (25) people at least six (6) months per year and include, but are not limited to, schools, industries, offices, and industrial/agricultural areas.

3) **Community Systems** are systems that regularly serve an average of twenty-five (25) people year round and include, but are not limited to, municipal water utilities, neighborhood associations, and mobile home parks.

Each public water system must register with IDEM, and be assigned a Public Water System ID Number (PWS ID#). PWS ID# are facility/location specific. That is, the PWS ID# assigned to a facility remains unchanged, regardless of how many times the ownership of that facility may change. The person or entity that “owns” the Public Water System is responsible for the safe operation of the system. When a public water system changes ownership, the new owner must contact the IDEM Drinking Water Branch by letter. The letter should include:

- 1) the name, address, and phone number of the previous owner;
- 2) the name, address, fax number, and phone number of the new owner;
- 3) the PWS ID # of the water system that is changing ownership;
- 4) the physical address of the PWS (or facility);
- 5) the number of people the facility will serve;
- 6) the seasonal dates the facility will be in operation;
- 7) the emergency contact information (Including: name of the primary contact, primary contact 24-hour telephone number, pager number, cellular phone number and email address; the name of secondary contact, secondary contact 24-hour telephone number, pager number, cellular phone number and email address; the name and telephone number of the local law enforcement agency; and the name and telephone number of the local fire department); and
- 8) the date that the change of ownership will take place.

The new owner is responsible for contacting IDEM with this information as soon as the transfer of ownership has taken place, but ideally he or she should contact IDEM before the transfer takes place in order to check the system’s compliance history prior to purchasing it, and becoming the responsible party.

The letter may be mailed or faxed to:

Attn: Sandra DeCastro/Compliance Section
IDEM Drinking Water Branch
P. O. Box 7148
Indianapolis, Indiana 46207-7148
Fax # 317/308-3339

IDEM will respond to the new owner with a letter confirming that IDEM has noted the ownership change. The letter also will indicate to the new owner what they must do to maintain compliance and will provide information on how to contact [compliance staff](#) or [inspection staff](#) [PDF file] with any additional questions. Any person or entity assuming ownership of a public water system also should be mindful that the operator in responsible charge of a community water system or a nontransient noncommunity (See definitions above) water system must hold an IDEM-issued [Drinking Water Operator Certification](#). In fact, it is recommended that all system operators be IDEM-certified. Only transient noncommunity systems are exempt from the IDEM-certified-operator requirement.

Drinking Water Construction Permits

If a public water system (PWS) receives an IDEM Drinking Water Construction permit, construction must begin within one year. If the PWS undergoes a change of ownership prior to the commencement, or completion, of construction, the permit may be

transferred to the new owner. However, to transfer the construction permit, the new owner must request that the permit be modified to show that they now are the responsible party. Modification requests can be mailed to:

Drinking Water Branch
Indiana Department of Environmental Management
100 N. Senate Ave.
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Include a written explanation of the request to modify only the name of the responsible person or party listed on the permit, along with the permit number of the construction permit being transferred. There is no fee for this modification.

Any other requests for permit modifications by the new owner will require additional written explanation, as required under [327 IAC 8-3-2\(b\)](http://www.ais.org/legislative/iac/T03270/A00080.wpd) [<http://www.ais.org/legislative/iac/T03270/A00080.wpd>] (*scroll down to Rule 3, at approximately page 117*). Changes involving anything other than replacement of equipment of similar design and capacity – none of which will change adversely the plant operation, its hydraulic design, or waste products, or the distribution system design, operation or capacity – could require that the new owner apply for a new permit before continuing construction. If a new application is filed, another applicable fee must accompany that application.

Solid Waste Permits

Solid Waste Disposal Facilities

A permit for a solid waste disposal facility may be transferred to a new owner without the need for a new permit or a permit modification or revocation of the existing permit.

Permitted Solid Waste Disposal Facilities include:

- Municipal Solid Waste Landfill
- Non-municipal Solid Waste Landfill
- Construction/Demolition Debris Landfill
- An Infectious Waste Incinerator (handling 7 tons of waste per day, or more)
- A Restricted Waste Site (Types I, II, or III)
- Solid Waste Processing Facility* (Incinerator or Transfer Station)

NOTE: A solid waste processing facility is not considered to be a “recycling center” unless ninety percent (90%) of the material handled at the facility is delivered back to manufacturing companies for reuse. Such centers are not required to have a permit.

The procedure for transferring a solid waste permit, which is described in detail in the Indiana Administrative Code under [329 IAC 10-13-5](http://www.ais.org/legislative/iac/T03290/A00100.wpd) [<http://www.ais.org/legislative/iac/T03290/A00100.wpd>] (*scroll down to Rule 13, about 1/3 of the way down the page at approximately page 88*), requires the following:

- That a written contract between the current owner (transferor) and the new owner (transferee) be written to include the specific date of transfer,

- That a copy of the contract be sent to IDEM at least 60 days before the date of the proposed transfer, along with a [Solid Waste Facility Permit Transfer Application SWF-13](http://www.in.gov/idem/land/permits/forms/sw/permittransferapp.pdf) [http://www.in.gov/idem/land/permits/forms/sw/permittransferapp.pdf] form completed by the transferor, the transferee, and the property owner (if the property belongs to some one other than the transferor or the transferee),
- That the transferee has not previously been convicted of any environmentally related crimes nor previously had an environmental permit revoked by IDEM,
- That the transferee also submit to IDEM a completed [Good Character Form SWF-7](http://www.in.gov/idem/land/permits/forms/sw/goodcharformswf7.pdf) [http://www.in.gov/idem/land/permits/forms/sw/goodcharformswf7.pdf] (except that if a transfer station is changing ownership or responsible operation, the parties involved need to submit a completed [Municipal Solid Waste Transfer Activities Disclosure Statement SWF-16](http://www.in.gov/idem/land/permits/forms/sw/munswtransferdisclosurestatementswf16.pdf) [http://www.in.gov/idem/land/permits/forms/sw/munswtransferdisclosurestatementswf16.pdf] form, rather than form SWF-7),
- That the transferee can demonstrate to IDEM proof of financial responsibility, and
- That the transferee provides proof of ownership or a lease agreement for the property upon which the solid waste facility is located.
- New owners or managers of solid waste disposal facilities also should be sure the facility is being operated by an [IDEM-certified operator](http://www.in.gov/idem/guides/permit/waste/swoperatorcerts.html) [http://www.in.gov/idem/guides/permit/waste/swoperatorcerts.html].

All the aforementioned forms and materials may be submitted to:

Solid Waste Permits Section
Office of Land Quality
Indiana Department of Environmental Management
100 North Senate Avenue Suite 1154
P.O. Box 6015
Indianapolis, IN 46206-6015

For additional information on permit transfers, contact:

Jerry Rud
Phone: 317/232-7200
E-mail: jrud@dem.state.in.us

Confined Feeding Operation Approvals

A [confined feeding operation](http://www.in.gov/idem/guides/permit/waste/confinedfeeding.html#who)

[http://www.in.gov/idem/guides/permit/waste/confinedfeeding.html#who] consists of lots, pens, ponds, sheds or buildings where there specific and substantial numbers of animals are confined, fed, and maintained for at least 45 days during any year, under [IC 13-18-10](http://www.in.gov/legislative/ic/code/title13/ar18/ch10.html) [http://www.in.gov/legislative/ic/code/title13/ar18/ch10.html] and [327 IAC 16](http://www.in.gov/legislative/iac/t03270/a00160.wpd) [http://www.in.gov/legislative/iac/t03270/a00160.wpd]. Approvals are facility specific. To transfer a confined feeding approval from a current owner or operator to a new owner or operator, you must complete a "Request for Approval Transfer" [form](http://www.in.gov/idem/land/cfo/cfoapprovaltransfer.pdf) [http://www.in.gov/idem/land/cfo/cfoapprovaltransfer.pdf], and return it to:

Jerome Rud, Chief
Solid Waste Permits Section

IDEM Office of Land Quality
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Land Application Permits

[Land application permits](#)

[<http://www.in.gov/idem/guides/permit/waste/landapplication.html>] allow for the disposal of biosolids, pollutant bearing water, or certain industrial waste products by application onto the land as a soil nutrient or amendment. IDEM issues several types of permits, including permits allowing specific sites to receive such wastes, permits allowing specific wastes to be applied on a range of sites, and permits that allow the marketing and distribution of biosolid wastes.

As detailed in [327 IAC 6.1-3-5](#) [<http://www.ai.org/legislative/iac/T03270/A00061.wpd>] (*scroll down to Rule 3, Section 5*), land application permits are transferable from the current permittee to the another person. To transfer a land application permit, the current permit holder (permittee) must notify IDEM at least 45 days before the proposed date of the transfer. The permittee and the new owner (transferee) must also submit to IDEM a written agreement specifying the date of the transfer, and establishing that the permittee is responsible for compliance with the permit up to that date, while the transferee is responsible for compliance after the transfer date.

Septic Disposal Permits

Permits for the [disposal of wastewater from septic tanks or portable sanitary units](#) [<http://www.in.gov/idem/guides/permit/waste/wwdisposal.html>] are **not** transferable. Any person taking ownership of a permitted septic disposal business (See: 327 IAC 7.1-4-4(a)(2)), septage hauling vehicle (See: 327 IAC 7.1-5-4(d)), or land application site (See: 327 IAC 7.1-8-5(6)) where wastewater or septic wastes are disposed must re-apply to IDEM for the proper septic business permit. [Contact](#) [<http://www.in.gov/idem/guides/permit/waste/wwdisposal.html#additional>] the IDEM Office of Land Quality for additional information.

Note: Code citations provided immediately above can be found at: [327 IAC 7.1](#) [<http://www.ai.org/legislative/iac/T03270/A00071.wpd>]. (*Once the page is downloaded, please scroll to the appropriate rule and section numbers.*)

Waste Tire Collection, Processing, or Storage Registrations

IDEM registrations for [waste tire collection or processing businesses or storage facilities](#) [<http://www.in.gov/idem/guides/permit/waste/wastetires.html>] are **not** transferable (See: [329 IAC 15-4-9](#) [<http://www.ai.org/legislative/iac/T03290/A00150.wpd>] and [329 IAC 15-3-13](#) [<http://www.ai.org/legislative/iac/T03290/A00150.wpd>]). Any person taking ownership of such a business or facility must re-apply to IDEM to be properly registered prior to engaging in these activities. [Contact](#) [<http://www.in.gov/idem/guides/permit/waste/wastetires.html#additional>] the IDEM Office of Land Quality for additional information.

Yard Waste Composting Facilities

It is the policy of the IDEM Office of Land Quality (OLQ) that Registrations for Yard Waste Composting Facilities are **not** transferable. Thus, when property upon which a yard waste composting facility is located and/or operating changes ownership, the new owner must re-apply to IDEM for a new Yard Waste Composting Facility Registration, if they wish to continue to compost the [quantities of yard waste that require registration](http://www.in.gov/indem/guides/permit/waste/yardwaste.html#who) [http://www.in.gov/indem/guides/permit/waste/yardwaste.html#who].

Underground Storage Tanks

The new owner/operator of an [Underground Storage Tank \(UST\)](http://www.in.gov/indem/guides/permit/waste/ust.html#what) [http://www.in.gov/indem/guides/permit/waste/ust.html#what] system must complete and submit to IDEM a Notification for Underground Storage Tanks [form](http://www.in.gov/indem/land/ust/notification.pdf) [http://www.in.gov/indem/land/ust/notification.pdf] within 30 days of acquiring that system. The notification form requests information on the tank's ownership, size, type, location, age, uses, construction, installation, external and internal protection, piping, and release detection methods. Notification forms should be sent to:

IDEM Office of Environmental Response, UST Branch
N1255, 100 North Senate Avenue
P.O. Box 7015
Indianapolis, Indiana 46207-7015

For additional information, you may contact

Skip Powers
Phone: 317/308-3039
E-mail at spowers@dem.state.in.us.

Hazardous Waste Permits

Changes of ownership or operational control at RCRA permitted facilities (facilities permitted to treat, store, and/or dispose of hazardous wastes) require that the permit be modified to identify the new owner (transferee). This Class 1 permit modification requires the current owner or operator (permittee) and the new owner or operator (transferee) to submit to IDEM a written agreement specifying the date when the responsibility for compliance with the permit is transferred from the permittee to the transferee.

Even after that transfer takes place, the permittee remains financially liable for the facility until the transferee can adequately demonstrate his or her financial responsibility. In addition, the transferee must submit a revised permit application at least 90 days before the date of the transfer in order for IDEM to modify the permit and reissue it to identify the transferee as the new owner/operator. The transferee, or new permittee, also must notify all appropriate units of state and local government and all persons on the IDEM-maintained facility mailing lists within 90 calendar days after the modification is approved. There is no fee for a Class 1 RCRA permit modification.

This process is addressed in greater detail in [40 CFR \(Code of Federal Regulation\), Chapter 1, Part 270.40: Transfer of Permits](http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=40&PART=270&SECTION=40&YEAR=2002&TYPE=TEXT) [http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=40&PART=270&SECTION=40&YEAR=2002&TYPE=TEXT].

The Proper Disposal of Solid and Hazardous Waste

Although many commercial and industrial activities do not require a specific solid or hazardous waste disposal permit, those assuming ownership or responsible operation of such activities must be mindful that proper waste disposal requirements must be always be met, even when no specific waste disposal permit is required.

New owners and/or operators should know that it is always the responsibility of the generator to determine the nature of all wastes to be disposed, and to dispose of each type of waste in the required manner. If a facility has previously generated hazardous wastes, the former owner should have a record of [waste determinations](http://www.in.gov/idem/land/hazwaste/guidance/identifywastedeterhw.html) [http://www.in.gov/idem/land/hazwaste/guidance/identifywastedeterhw.html] made to ascertain which wastes generated at the facility are hazardous wastes. Any new owner/operator may want to review these records or conduct additional waste determinations, especially if any changes will be made to the processes, or the products, used by the new owner/operator.

Any person who generates more than 220 pounds (100 kilograms) of hazardous waste in any month, accumulates on site at any one time more than 2204 pounds (1000 kilograms) of hazardous waste, or accumulates onsite 2.2 pounds (1 kilogram) or more of acutely toxic hazardous waste on-site, regardless of the rate of generation, must first submit a [Notification of Regulated Waste Activity \[EPA Form 8700-12\]](http://www.epa.gov/epaoswer/hazwaste/data/form8700/forms.htm) [http://www.epa.gov/epaoswer/hazwaste/data/form8700/forms.htm] to IDEM for a RCRA (Resource Conservation and Recovery Act) ID# (identification number). Once assigned, a RCRA ID# is site specific. Thus, any subsequent new owner intending to continue generating hazardous waste at an existing site must similarly [apply to IDEM](http://www.in.gov/idem/land/hazwaste/notifiers/obtainid.html) [http://www.in.gov/idem/land/hazwaste/notifiers/obtainid.html] in order to operate under the existing ID# for that site.

(Conversely, a generator of hazardous wastes that relocates to a new site must re-apply for a RCRA ID#, and will either be assigned a new number or – if that new site has previously been assigned a RCRA ID# – be assigned that existing number.)

All generators of hazardous waste fall into one of three categories:

Large Quantity Generators (LQGs)

Large Quantity Generators (LQGs)

[http://www.in.gov/idem/guides/permit/waste/generating.html#lqq] are those that generated more than 2,204 pounds of hazardous waste or 2.2 pounds of acutely hazardous waste during any month of the previous calendar year. LQGs must pay the annual \$1,565 generator fee and file either a [Biennial Report](http://www.in.gov/idem/land/hazwaste/brs/biennial.html) [http://www.in.gov/idem/land/hazwaste/brs/biennial.html] or an [Annual Manifest Summary Report](#). LQGs may not store waste onsite for more than 90 days.

Small Quantity Generators (SQGs)

Small Quantity Generators (SQGs)

[http://www.in.gov/idem/guides/permit/waste/generating.html#sqq] are those that generated more than 220 pounds, but less than 2,204 pounds, of hazardous waste

during any calendar month of the previous calendar year, and accumulated onsite at any time no more 13,227 pounds (6,000 kilograms) of waste. SQGs must obtain a federal RCRA ID # and file an [Annual Manifest Summary Report](http://www.in.gov/idem/land/hazwaste/manifest/amr.html) [http://www.in.gov/idem/land/hazwaste/manifest/amr.html], but are not required to pay an annual fee. SQGs may not store waste onsite for more than 180 days (except that if the disposal site is more than 200 miles away, SQGs may store waste onsite for 270 days).

No large or small quantity generator may store hazardous waste onsite beyond the allotted timeframes without first obtaining a [RCRA \(Resource Conservation and Recovery Act\) permit](http://www.in.gov/idem/guides/permit/waste/generating.html#permit) [http://www.in.gov/idem/guides/permit/waste/generating.html#permit].

Conditionally Exempt Small Quantity Generators (CESQGs)

Conditionally Exempt Small Quantity Generators (CESQGs)

[http://www.in.gov/idem/guides/permit/waste/generating.html#exempt] are those that generated less than 220 pounds of hazardous waste or less than 2.2 pounds of acutely toxic waste in any month of the previous calendar month, and who accumulated less than 2,207 pounds of hazardous waste onsite at any one time. CESQGs may, but are not required, to obtain a RCRA ID#, and are not required to pay an annual fee. They also are not required to dispose of waste at a [RCRA-permitted Treatment, Storage and/or Disposal Facility](http://www.in.gov/idem/land/hazwaste/permitting/hazardoustsdlist.pdf) [http://www.in.gov/idem/land/hazwaste/permitting/hazardoustsdlist.pdf]. However, CESQGs should check with their [solid waste hauler](http://www.in.gov/idem/land/sw/permitting/mswhauler.pdf) [http://www.in.gov/idem/land/sw/permitting/mswhauler.pdf] and or [landfill operator](http://www.in.gov/idem/land/sw/permitting/permittedswfac.pdf) [http://www.in.gov/idem/land/sw/permitting/permittedswfac.pdf] to insure that they are in compliance with any requirements the hauler or landfill may have established.

The IDEM Office of Land Quality also has prepared a number of guidances intended to aid the regulated community in understanding IDEM policy on a wide range of waste disposal issues. It is recommended that new owners of commercial and industrial activities review the list of available [guidances](http://www.in.gov/idem/land/pubsforms/guidance.html) [http://www.in.gov/idem/land/pubsforms/guidance.html], and become familiar with those that apply to their activities.

Disclaimer

This permit guide is intended to provide background information which should be useful in planning for a particular project that may require an environmental permit. It does not substitute for consultation with the appropriate regulatory agency and/or the appropriate rules or statute.